



Dkt. 62812-A/JPW/GJC/JJK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAY 3 2004

Applicants : Mitchell Shirvan and Meir Bialer
U.S. Serial No.: 09/932,370 Examiner: San-ming Hui
Filed : August 17, 2001 Group Art Unit: 1617
For : USE OF DERIVATIVES OF VALPROIC ACID AMIDES
AND 2-VALPROENIC ACID AMIDES FOR THE
TREATMENT OR PREVENTION OF PAIN AND/OR
HEADACHE DISORDERS

1185 Avenue of the Americas
New York, New York 10036
December 18, 2003

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**NOTICE OF APPEAL FROM THE EXAMINER'S DECISION TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES AND
PETITION FOR THREE MONTH EXTENSION OF TIME**

Applicants hereby appeal to the Board from the decision of the Examiner mailed June 18, 2003 finally rejecting the pending claims 1-3, 6-24, 26, 27, 30-45, 47-49, 52, 53, 55-73, 76, 77, 79-91 and 93-105 in connection with the above-identified application.

A response to the June 18, 2003 Final Office Action was originally due September 18, 2003.

Applicants are filing this Notice of Appeal and also petition for a three month extension of time to bring the subject application into pending status on the date of filing of this Notice of Appeal. Specifically, a response to the June 18, 2003 Final Office Action was due September 18, 2003. With a three month extension of time, a response to the June 18, 2003

06/24/2003 5ZC001000060 09932370

01 FEB 2003
02 MAR 2003

\$50.00 DP
\$30.00 DP

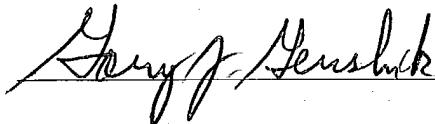
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Final Office Action is due December 18, 2003. The fee for a three month extension of time is \$950.00 and a check including this amount is enclosed. Therefore, a response to the June 18, 2003 Office Action is now due December 18, 2003 and this Notice of Appeal is being timely filed.

The required fee for filing a Notice of Appeal under 37 C.F.R. §1.17(b) for a large entity is \$330.00, which amount is also included in the enclosed check.

A check in the amount of \$1280.00 is enclosed to cover the \$330.00 fee for filing a Notice of Appeal and the \$950.00 for the three month extension. No other fee is deemed necessary in connection with the filing of this Notice. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313

 12/18/03
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